



RANTS & RAVES

Judicial sentences for computer crimes are a lottery, says Mel Croucher – the courts can't decide whether such acts are harmless pranks or serious threats to society. Meanwhile, Simon Edwards calls for more elitism in the computing world

CRIME AND PUNISHMENT

Mel Croucher **RANTS**

I was just feeding the rats and minding my own business outside the Ruby Blue in Leicester Square when I thought it would be a jolly good idea to put all my cash, my credit cards, my passport and the only copy of my latest novel on the nearest public bench. And you'll never guess what happened. Some bastard went and nicked the lot.

ILLUSTRATION: DAVID SIMONDS

I was absolutely livid, so I went to the Supreme Court to demand a full investigation. I wanted to know who was to blame, so they could be prosecuted and punished. While I was waiting for justice to be done, I took the opportunity to scan a few other cases, and I must say the sentencing of criminals in different countries seemed to be in a right old mess.

COURT OUT

In Virginia, Jeremy Jaynes got nine years in jail for spamming. Compare that with the sentence of 30 hours' community service handed out by a

German court to Sven Jaschan for writing the Sasser and Netsky worms, which caused an estimated two billion pounds' worth of damage. Welshman Simon 'Gobo' Vallor got two years in jail for writing three computer viruses, whereas Lee Elwood of Glasgow is likely to serve the same amount of time for his part in a £6.5 million online identity fraud.

Meanwhile, the Dutch courts sentenced Jan de Wit to nothing more than community service for releasing the Anna Kournikova email worm into the wild. The estimated damage caused by his handiwork is

currently running at £3.6 billion. Something is distinctly out of kilter.

ACT OF REGRESSION

Computer crime is either a harmless prank, which merits a slap on the wrist, or it is one of the most dangerous threats to society and should be punished by lengthy prison sentences. It cannot be both. Yet the wildly different punishments in these cases suggest that the courts have no idea what they are dealing with.

In the UK, the Computer Misuse Act 1990 has been used to criminalise unauthorised access to computer material, such as identity theft, and unauthorised modification of computer material, such as a virus. Fifteen years later, the Computer Misuse Act proposed by Tom Harris, MP for Glasgow South, was given its second reading just before Christmas. This proposed that the above crimes warrant 10 years in the nick, and it seeks to cover all means of interference with a computer system, including giving away someone's password. Blimey!

Anyway, the Supreme Court gave me a surprise verdict. It said



that everyone sentenced to the computer crimes of fraud, spamming, sending viruses and identity theft should be released immediately and given state pensions for their services in keeping us on our toes. Furthermore, it proclaimed that people who are too daft to use virus checkers, too lazy to back up their data and too stupid to recognise online scams should be put into orange jumpsuits and slung behind barbed wire without trial.

Did I mention that I am writing this from inside a cage in Guantánamo Bay? It seems leaving your valuables on a public bench in Leicester Square is to be dealt with in the same way. Mind you, they did return my novel as unreadable.

COMMON GROUND

Simon Edwards **RANTS**

It's just not fair. You spend hours of your life learning about and using computers, then the world changes and everyone is at it. Ordinary people, who were out having fun while you were struggling with

MS-DOS memory management batch files, can now run games without the slightest understanding of extended-memory managers. What the blazes is that all about?

The internet was an interesting diversion for a while, a secret place for rocket scientists to communicate with each other using strange programs. Now any fool with half a brain and a clicking finger can use it. And the days of ASCII porn are long gone.

On the long winter nights, I like to sit in a darkened room, nursing a fat whisky and contemplating the decline of society. It kills the time and keeps me off the internet. Why should I wish to distance myself from the information superhighway? Because my latest Glenmorangie-inspired revelation is that the internet represents an evolution in reverse where we, the digital population, are part of a declining society that is losing its skills and becoming virtual vegetables.

How can this be? Surely every time Google adds another feature to its home page, we gain the equivalent of lungs rather than gills? Now we can make phone calls using MSN, have we not hoisted ourselves out of the primordial soup of the pre-internet age?

No, we have not. Now that there is access to all these useful and easy-to-use services, the internet population has expanded to include real people with non-computer interests. Where once the internet was populated by fleet-of-finger enthusiasts who knew what they

name of 'usability', the companies that form large chunks of the internet cater to the indolence of these people. Where once you had to be interested in computers to make a boring web page about your cats, now any non-computer-literate freak can do it using Blogger. I've tried out this site and the results were disturbing.

With just an email address and a few clicks, I was able to create a manageable website capable of serving my ill-considered views to the global public. Where is the elitism in that? You don't even have to spend hours mastering HTML and PHP. It's almost like some kind of informational democracy. Or something suspiciously socialist. Whichever you find scarier. How dare the proles use what it took us years to understand? If I had my way, you'd need a licence to own a computer. There'd be compulsory exams, too, and you'd need to have gone to the right school (I'm not a snob. Winchester would do).

Instead, anyone can just go and buy a PC. In a shop! I've even heard rumours that Google is about to launch its own mass-market PC. It won't run Windows but will probably be a simple-to-use and inexpensive device that runs Linux and is sold in supermarkets. Linux in Asda! If that's true then this operating system, the last bastion of computer geeks, will become popular. Of course, the stupid new owners won't appreciate its subtleties, or the fact that it is open source. They will just (shudder) use it.

The Supreme Court says people sentenced for fraud should be released, while those too stupid to spot online scams should be slung behind barbed wire

were doing, the wide vistas of the web now support herds of point-and-clickers who barely know how to change their Internet Explorer home page from its default, yet they can order goods online, chat to each other using text-based messaging systems (without knowing arcane IRC commands) and have not a clue about the details of the TCP/IP networking protocol. What's more, they don't care.

BLOG OFF

You, dear reader, are the exception, of course. You are in the club. But speak to any number of 'other' people you know, and you'll find the evolutionary equivalent of a trilobite when it comes to computers. In the

At least some people have got off their lazy backsides and achieved a sound, technical understanding of the internet, pushing boundaries and exploring new avenues of technology. Unfortunately, they don't have your best interests at heart. Computer virus writers are definitely at the top of the internet food chain. Viruses have evolved in recent years. Where once they killed your PC dead, formatting the hard disk or encrypting essential system files, they now survive by spreading fast over the internet and leaving the computers they infect relatively intact. Rather than destroying your data they steal it, or use your system as an unwitting stooge in further criminal activities.

RED ALERT

This brings me to my serious point. While it is truly great that many people have access to the internet and the fantastic breadth of information and services it provides, most of those people are significantly less aware of the risks than you or I. The baddies who churn out viruses, spyware and other ways to ruin your day can create scams so convincing that you need to be pretty streetwise to avoid them all.

Here's a case study. I was helping a friend out with their new laptop the other day. It is essentially a games machine with the minimum of security software preinstalled. My friend was quite happy for me to replace these programs with better versions, along with some good anti-spyware software. However, when he used my broadband connection to install the iTunes music program, I was deflated to see him speedily clicking on every OK button that appeared on the firewall alerts that popped up during the process.

By doing so, he allowed iTunes and QuickTime unlimited access to the internet. OK, if you download a program from a respected website such as Apple's you can be pretty sure the files are safe, but I honestly don't think that consideration enters the mind of many regular internet users. If these had been alerts for malignant programs, my friend wouldn't have noticed. Most people just want to get the job done and it won't occur to them that they should actually read what the alerts say. I fear I've not seen the last of this computer.

Perhaps one day we will return to the halcyon days when people knew their place and left the complicated business of using computers to the rightful experts. PCs will be owned, not by the general public, but by the clever and rich. Windows will be replaced entirely by the command line and complicated programming syntax. Until that time, through the coming ice age of computing, my PC is staying offline. Besides which, all my favourite games can now run on my new mobile phone, which seems to have evolved into a machine loads more powerful than my desktop PC. And it doesn't need batch files to boot. **ES**

CONTACT

MEL CROUCHER

mel@computersshopper.co.uk

SIMON EDWARDS

simon@computersshopper.co.uk